THE HON'BLE SRI JUSTICE C.V. RAMULU

Wednesday, 12th July, 2006

W.P.Nos.35038, 35880, 36676 and 36677 of 1998 and 9573, 9617, 9621 of 1999

W.P.No.35038 of 1998

Between:

K. Murali … Petitioner

and

The Addl. Licensing Authority, R.T.A. Karimnagar District, Karimnagar and others … Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.Nos.35038, 35880, 36676 and 36677 of 1998
and 9573, 9617, 9621 of 1999

COMMON ORDER:

Heard both sides.

In all these cases, the petitioners were reverted from the post of Driver to the substantive post in which they were appointed, on the ground that when they were promoted to the post of Driver, the licence produced by them was found to be not genuine one. Aggrieved by the same, the present Writ Petitions are filed.

Petitioners have asserted that the licence obtained by them are genuine and no proper enquiry was conducted by any authority including the licensing authority and only on mere letter sent by the licensing authority, the decision is taken by the management. But neither any opportunity is given to the petitioners by the management nor by the licensing authority.

Under those circumstances, without going into the merits, the petitioners are directed to agitate about the genuineness of the licences before the licensing authority and seek appropriate orders certifying as to the genuineness of the licences issued by it on the earlier occasion on the basis of which the petitioners were appointed/promoted to the post of Driver. If the licensing authority certifies that the certificates held by the petitioners at the time of their appointment/promotion as Drivers is genuine, it is binding on the respondent-management and they shall consider the cases of the

petitioners to the post of Driver again on the basis of the said certificates. However, if any fresh licences are obtained by the petitioners after passing of the impugned Orders, it is for the respondents to consider their cases as per their eligibility in any future vacancy that may arise, as per law.

With the above directions, the Writ Petitions are disposed of. No order as to costs.

12-7-2006

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